



**PATENT**  
Attorney Docket No.: 080586-000100US  
Client Reference No.: 82611-5D

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

DAVID SCOTT WISHART et al.

Application No.: 10/615,416

Filed: July 7, 2003

For: AUTOMATIC IDENTIFICATION OF  
COMPOUNDS IN A SAMPLE MIXTURE  
BY MEANS OF NMR SPECTROSCOPY

Examiner: UNASSIGNED

Art Unit: 1641

**SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER 37 CFR  
§1.97 and §1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. Examiner please note that cited reference number 2, *LINDON et al. "Biofluids Studied by NMR,"* was previously submitted in an Information Disclosure Statement file December 17, 2003 for this application. At that time an incorrect publication year of 2002 was unintentionally given for the reference. The correct publication year for *LINDON et al. "Biofluids Studied by NMR,"* is 2000 and is indicated on the attached form PTO/SB/08B.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Respectfully submitted,

Kenneth R. Allen  
Reg. No. 27,301

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
Fax: 650-326-2422  
KRA:rnh60118589 v1



Substitute for Form 149B/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application Number	10/615,416
<i>(use as many sheets as necessary)</i>				Filing Date	July 7, 2003
				First Named Inventor	David Scott Wishart
				Art Unit	1641
				Examiner Name	Unassigned
Sheet	1	of	1	Attorney Docket Number	080586-000100US

<b>NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	ILES "Clinical biofluids," <u>Encyclopedia of Analytical Science</u> ; Nuclear Magnet Spectroscopy - Applications: 3532-3544 (1995).	
	2	LINDON et al. "Biofluids Studied by NMR," In <u>Encyclopedia of Spectroscopy and Spectrometry</u> . Academic Press, pp. 98-116 (2000).	
	3	NICHOLSON et al. "1H NMR spectroscopy of biological fluids and the investigation of perturbed metabolic processes," <u>Magnetic Resonance in Food Science</u> , Belton, PS et al. (eds), Royal Society of Chemistry (pubs); 40/7:12451250 (1994).	
	4	WEVERS et al. "High-resolution 1H-NMR spectroscopy of blood plasma for metabolic studies," <u>Clinical Chemistry</u> 40/7:1245-1250 (1994).	

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/615,416
Filing Date	July 7, 2003
First Named Inventor	David Scott Wishart
Art Unit	1641
Examiner Name	Unassigned
Total Number of Pages in This Submission	Attorney Docket Number 080586-000100US

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <small>(please identify below):</small> USPTO form SB08B (one page), copies of four cited references, Return Postcard
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Townsend and Townsend and Crew LLP Kenneth R. Allen	
Signature		
Date	Jan 15, 2004	

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Roger Hylton		
Signature		Date	1/16/04